

United States District Court

District of North Dakota

UNITED STATES OF AMERICA

v.

DOUGLAS EUGENE GLEICH
 (Defendant's Name)

JUDGMENT IN A CRIMINAL CASE

(For Revocation of Probation or Supervised Release)

Criminal Number: 1:03-CR-056USM Number: 08521-059Orell D. Schmitz

Defendant's Attorney

THE DEFENDANT:

admitted guilt to violation of conditions ____ of the term of supervision.

was found in violation of condition(s) 1 and 2 after denial of guilt.

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Occurred</u>
1)	Committed another federal state or local crime	July 2009
2)	Possessed child pornography	August 2009

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has not violated condition(s) ____ and is discharged as to such violation(s) condition.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.


 August 18, 2009

Date of Imposition of Sentence

Signature of Judicial Officer

 DANIEL L. HOVLAND, Chief U.S. District Judge

Name & Title of Judicial Officer

 August 18, 2009

Date

AO 245B (Rev. 3/04) Sheet 2 - Imprisonment

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IMPRISONMENT

The previously imposed supervised release is revoked.

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **18 MONTHS with credit for time served to date.**

The court makes the following recommendations to the Bureau of Prisons:

The Court recommends that the defendant be placed at FCI Sandstone in Sandstone, Minnesota.

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district.

at _____

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before _____

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Officer.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 6 MONTHS.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the court.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check if applicable.)

The defendant has been convicted of an offense listed in the DNA Analysis Backlog Elimination Act of 2000 or the Justice for All Act of 2004. These acts require the defendant to cooperate in the collection of DNA as directed by the probation officer.

If this judgment imposes a fine or a restitution obligation, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties page of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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SPECIAL CONDITIONS OF SUPERVISION

- 1) The defendant shall participate in a psychological/psychiatric counseling and/or sex offender treatment program which may include in-patient treatment as approved and directed by the supervising probation officer. The defendant shall abide by all program rules, requirements, and conditions of the sex offender treatment program, including submission to polygraph testing at his own expense to determine if he is in compliance with the conditions of supervision.
- 2) The defendant shall not enter, visit, affiliate with, own, control, and/or be employed in any capacity by a business whose principle product is the production and/or selling of materials depicting and/or describing "sexually explicit conduct" as defined at 18 U.S.C. §§ 2256(2) and (8).
- 3) The defendant shall not possess any materials, including pictures, photographs, books, writings, drawings, videos, or video games, depicting and/or describing child pornography or "sexually explicit conduct" as defined at 18 U.S.C. §§ 2256(2) and (8).
- 4) All computers, computer-related devices and their peripheral equipment used by the defendant, shall be subject to search and seizure and the installation of search and/or monitoring software and/or hardware, including unannounced seizure for the purpose of search. The defendant shall not add, remove, upgrade, update, re-install, repair, or otherwise notify the hardware or software on the computers, computer-related devices, or their peripheral equipment, nor shall the defendant hide or encrypt files or data without prior approval of the probation officer. Further, the defendant shall provide all billing records, including telephone, cable, internet, satellite, and the like, as requested by the probation officer.
- 5) The defendant shall not access via computer, any material that relates to sexually explicit content. The defendant shall not have another individual access the internet on his behalf to obtain files or information, which he is restricted from accessing himself, or accepting restricted files or information from another person.
- 6) The defendant shall not possess or use a computer with access to any online service at any location (including his place of employment), without prior approval of the probation officer. This includes access through any internet service provider, bulletin board system, or any public or private computer network system. The defendant shall not have another individual access the restricted information or sites for him, or accept restricted files or information from another person.
- 7) The defendant shall use computers/devices only within the scope of his employment. The defendant shall not access a computer for any other purpose. The defendant shall immediately report any changes of employment in regard to his internet access and computer use, including but not limited to, his internet e-mail.
- 8) The defendant shall submit his person, residence, workplace, vehicle, computer, and/or possessions to a search conducted by a United States Probation Officer based upon evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation, additional criminal charges, and arrest. The defendant shall notify any other residents that the premises may be subject to searches pursuant to this condition.

Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed)

Defendant

Date

U.S. Probation Officer/Designated Witness

Date